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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,153	07/31/2003	David P. Peckham	3573.1000-000	2228

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EXAMINER

TRIEU, VAN THANH

ART UNIT PAPER NUMBER

2636

DATE MAILED: 11/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/631,153

Applicant(s)

PECKHAM ET AL.

Examiner

Van T Trieu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 13-18, 20-24 and 26-28 are rejected under 35 U.S.C. 102(b) as being anticipated by **Simon** [US 4,064,508].

Regarding claim 13, the claimed at least two alarm units coupled to each other to form the alarm system (the remote station alarms 18' and 18", see Fig. 2, col. 2, lines 7-22, col. 6, lines 52-60 and col. 6, lines 56-60); and the switch remote from and coupled to each alarm unit, the switch for providing power to each alarm unit, the switch includes a first actuator for temporarily interrupting the power supplied to each alarm unit (the key switch 22 for providing power to enable and temporarily or delaying disable conditions at any remote station alarms 18' and 18", see Figs. 1-4, col. 2, lines 40-43 and 60-67, col. 4, lines 56-68, col. 6, lines 1-60, col. 7, lines 43-57, col. 8, lines 51-68, col. 9, lines 1-4, 62-68 and col. 10, lines 1-44).

Regarding claim 14, the claimed at least a second actuator remote from and coupled to the first actuator for providing an alternate location for temporarily interrupting the power supplied to each alarm unit (the key switch 22' or 22" is associated with the delay loop

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50 and timing circuitry 30, see Figs. 2-4, col. 8, lines 18-68, col. 9, lines 1-4, 62-68 and col. 10, lines 1-44).

Regarding claim 15, all the claimed subject matters are cited in respect to claim 13 above, the key switch 22, see Figs. 1-3.

Regarding claim 16, all the claimed subject matters are cited in respect to claim 13 above, the key switch 22, see Figs. 1-3.

Regarding claim 17, the claimed switch is coupled in parallel to each alarm unit (see Figs. 2 and 3, col. 6, lines 51-56 and col. 7, lines 52-57).

Regarding claim 18, the claimed temporarily interrupted for a predetermined length of time (the delay time to disable the alarm for a predetermined of time, see Figs. 2-4, col. 4, lines 26-31, col. 6, lines 43-50, col. 8, lines 11-19, col. 10, lines 11-68 and col. 11, lines 1-8).

Regarding claim 20, the method claimed limitations are met by the apparatus claim 13 above.

Regarding claim 21, all the claimed subject matters are cited in respect to claims 15 and 20 above.

Regarding claim 22, all the claimed subject matters are cited in respect to claims 15 and 21 above, wherein the key switch 22 is also for powering the alarm system 10, see Figs. 1-4.

Regarding claim 23, all the claimed subject matters are cited in respect to claims 15 and 21 above, wherein the second/off position of the key switch 22 for temporarily turn off the power of the alarm system 10, see Figs. 1-4.

Regarding claim 24, all the claimed subject matters are cited in respect to claims 18 and 23 above.

Regarding claim 26, the claimed step of restoring the power to the alarm system (the delay loop 50 and timing circuitry 30 allow to restore voltage power to operate the alarm system after a predetermined period of time, see Figs. 2-4, col. 9, lines 62-68 and col. 10, lines 1-30).

Regarding claim 27, all the claimed subject matters are cited in respect to claim 26 above.

Regarding claim 28, all the claimed subject matters are cited in respect to claims 17 and 20 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 19 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Simon** [US 4,064,508] in view of **Subulak et al** [US 4,313,110]

Regarding claim 19, Simon fails to disclose the capacitor value determine the predetermined length of time. However, **Simon** teaches that the timing circuitry 30 determines a predetermined length of time, see Figs. 2 and 3, col. 9, lines 62-68 and col. 10, lines 1-27. **Subulack et al** suggests that a timing function circuit include a capacitor C1 for determining a delay length of time to deactivate the smoke alarm detector unit 15, see Figs. 1 and 2, col. 2, lines 49-68 and col. 3, lines 1-8. Therefore, it

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would have been obvious to one skill in the art at the time the invention was made to substitute the capacitor delay time of **Subulack et al** for the timing circuitry of **Simon** since the charging capacitors are well known for charging and discharging of electrical energy for a predetermined length of time, which is very efficiency used for delaying powering of the alarm system.

Regarding claim 25, all the claimed subject matters are discussed between **Simon** and **Subulak et al** in respect to claims 19 and 24 above.

Response to Arguments

3. Applicant's arguments filed on 23 June 2005 have been fully considered but they are not persuasive. A new reference of Simon is for making the rejection smoother according with the Amended claims as above.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from examiner should be directed to primary examiner **Van Trieu** whose telephone number is (571) 272-2972. The examiner can normally be reached on Mon-Fri from 7:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. **Jeffery Hofsass** can be reached on (571) 272-2981.

A handwritten signature in black ink, appearing to read 'Van Trieu', with a long, sweeping horizontal line extending to the right.

Van Trieu
Primary Examiner
Date: 11/2/05